

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL BELL TELEPHONE COMPANY'S)	CASE NO.
EXPERIMENTAL INCENTIVE REGULATION PLAN)	89-076

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed October 10, 1989 and supplemented November 20, 1989 pursuant to 807 KAR 5:001, Section 7, for confidential protection of budget information filed with the Commission on the grounds that disclosure of the information is likely to cause competitive injury, and it appearing to the Commission as follows:

On October 2, 1989 during the confidential portion of the second quarterly meeting of the Commission and South Central Bell, South Central Bell presented viewgraphs containing South Central Bell's budget information and current results which permits South Central Bell to track budget projections. At the conclusion of the presentation, the Commission requested that the information be filed in the record. The information contains budget and operational results which would permit competitors of South Central Bell to track its operations on a current, rather than an historical basis, thereby giving such competitors an unfair advantage.

807 KAR 5:001 protects information as confidential when it is established that disclosure will result in competitive injury to the party from whom the information is obtained. To satisfy this requirement the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. This information is essentially the same as the information submitted to the Commission on a monthly basis, which the Commission has determined in prior Orders, should be protected from disclosure to prevent competitive injury to South Central Bell. Likewise this information should also be protected from disclosure.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the viewgraphs containing South Central Bell's budget information and current results which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 11th day of December, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:

Executive Director

Commissioner